

THIRTY-FIFTH DAY

(Tuesday, March 17, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

Holy Father, as thou didst sit in the Temple and behold the widow's mite, so make us aware that Thou dost sit at the desk in this sacred chamber and behold our words and works. May they all be acceptable in Thy sight. For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Lane submitted the following reports:

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 222, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 144, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 148, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 536, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 139, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 309, have had the same under consideration, and we are instructed

to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 224, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 311, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 220, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass and be not printed, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

LANE, Chairman.

C. S. S. B. No. 220 was read the first time.

Senator Bradshaw submitted the following reports:

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 377, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRADSHAW, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 124, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRADSHAW, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 266, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

BRADSHAW, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 293, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRADSHAW, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 188, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

BRADSHAW, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 248, have had the same under consideration, and we are instructed to report it back to the Senate with the

recommendation that it do pass as amended and be printed.

BRADSHAW, Chairman.

Senator Hardeman submitted the following reports:

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 74, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 336, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 329, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 326, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State

Affairs, to whom was referred S. B. No. 317, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 17, 1959

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 8, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 6, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 238, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 242, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State

Affairs, to whom was referred S. B. No. 215, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 206, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 278, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

HARDEMAN, Chairman.

Senator Aikin submitted the following report:

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 110, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Message from the House

Hall of the House of Representatives

Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 201, An Act prohibiting false wholesale advertising and misrepresenting the true nature of busi-

ness; defining the term "wholesale" as used in the Act; prohibiting any person, firm, association, or corporation from misrepresenting true ownership of a business for the purpose of liquidation sale, auction sale, or other sale which represents that said firm is going out of business; providing for injunctions; prescribing penalties for violation of the Act; providing for a savings clause; repealing Acts in conflict herewith; and declaring an emergency.

H. B. No. 344, An Act relating to the requirement of performance and payment bonds by public contractors and claims and liens thereunder for materials and labor; amending Article 5160 of the Revised Civil Statutes of Texas, 1925; and Section 1, Chapter 17, Acts of the Thirty-ninth Legislature, 1925; repealing Articles 5161, 5162, 5163 and 5164 of the Revised Civil Statutes of Texas, 1925; providing for severability; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 393 on First Reading

Senator Moore moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The following bill was then introduced, read first time and referred to the Committee indicated:

S. B. No. 393, A bill to be entitled "An Act defining a vacancy as any area which is not listed on the records of the Land Office as school land and which is claimed to be owned by any private person, firm or Corporation and which the State is entitled to recover in a suit by the State and which is of such a nature that were same recovered by the State in such a suit it would constitute public school land and which is not involved in pending litigation brought by the State to recover the same; making applicable to such a vacancy the provisions of House Bill No. 9 passed by the Forty-sixth Legislature, 1939, except so far as such provisions are modified by this Act; providing that if any land is otherwise a vacancy under this Act the fact that it is covered in whole or in part by a deed of acquittance will not keep such land from being a vacancy if it be satisfactorily proved that such land does not constitute excess acreage; provided that any deed of acquittance covering excess acreage is to that extent totally void and not a muniment of title; providing that whenever an application to purchase or lease a vacancy covered by this Act is filed it shall not be necessary that such application state the names and addresses of owners or claimants of the land claimed to be vacant or of adjoining or overlapping land; providing that not later than the time a party making such an application is required to make a deposit with the Commissioner to cover costs of work necessary in order to comply with the request contained in the application, such party shall furnish the Commissioner with a list of such names and addresses so far as same may be ascertained from records of the office of the county clerk of the county in which the claimed vacancy is located and from the tax rolls of such county; declaring that all laws or parts of laws in conflict with this Act are repealed; fixing the effective date of this Act; and declaring an emergency."

To the Committee on State Affairs.

Senate Bill 394 on First Reading

Senator Martin moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Martin and Hardeman:

S. B. No. 394, A bill to be entitled "An Act amending Article 5183, Revised Civil Statutes of Texas, 1925, to enlarge the Industrial Commission to nine members; prescribing qualifications and terms of office; providing for appointments; providing method of filling vacancies; and declaring an emergency."

To the Committee on State Affairs.

Bills Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills:

S. B. No. 9, A bill to be entitled "An Act to create and define the offense of shoplifting: to provide punishment for the offense; to create presumptions arising out of the concealment of goods held for sale by Merchants and to exempt from civil or criminal liability any Peace Officer, Merchant, or specifically authorized employee who arrests or causes the arrest without a warrant of any person suspected of the offense of shoplifting."

H. B. No. 66, Prohibiting the manufacture, possession, distribution, sale or use of live hog cholera virus vaccine in the State of Texas; and declaring an emergency.

Senate Resolution 196

Senator Hudson offered the following resolution:

Whereas, It is the desire of the Senate to name Robin Elizabeth Owen and Lorrie Merrienne Owen, daughters of our distinguished colleague, Senator Frank Owen, III, and Mrs. Owen, Sweethearts of the Senate; and

Whereas, These charming young ladies would add beauty and charm to the block picture of the Senate; now, therefore, be it

Resolved, That Robin Elizabeth and Lorrie Merrienne Owen be named Sweethearts of the Senate and that their photographs be included in the block picture of the Senate, and a copy of this resolution be sent to the Misses Owen.

The resolution was read and was adopted.

Senate Resolution 197

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 7th grade class from Kealing Jr. High School in Austin, Travis County, Texas, accompanied by their teacher, Mrs. Selena Faye Cash; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed their class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and teacher to the Members of the Senate.

Senate Resolution 198

Senator Reagan offered the following resolution:

Whereas, We are honored today to have in the gallery the senior students of W. B. Ray Senior High School of Corpus Christi, Texas, including an exchange student from Verviers, Belgium, and one from Stutgard, Germany, accompanied by their teachers, Mrs. Fred B. Norris, Mr. Jack W. Humphries and Mr. Robert Kraner; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn first-hand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Reagan by unanimous consent presented the students and their teachers to the Members of the Senate.

Senate Concurrent Resolution 33

Senator Parkhouse offered the following resolution:

S. C. R. No. 33, Requesting examination of all proposed legislation upon business climate of the State of Texas.

Whereas, Good business climate is hereby defined as follows:

1. Fair and equitable treatment in general legislation and administrative regulations for all segments of Texas' economy.

2. A framework of government the support of which adds no greater cost to doing business than the cost of government imposed by other states of similar industrialization and favorable climate.

3. Equitable tax policies and restriction of the cost of government to reasonable levels.

4. Fair treatment for all in legislation and administration affecting labor-management relations; and

Whereas, In this era of rapid industrial expansion and relocation

throughout the United States, industries selecting locations are vitally concerned about the relative business climate among the states; and

Whereas, A favorable business climate attracts needed industrial payrolls, creating new jobs for an expanding work force, and providing added tax revenues for educational and other community facilities; and

Whereas, Establishment of a good business climate is in the public interest and can be continued without discriminating against any interest in Texas; now, therefore, be it

Resolved, That the Texas Legislature henceforth shall examine all proposed legislation in terms of its effect upon the business climate of the state, as defined herein, and shall determine whether such legislation may have any future discriminatory or deterrent effect upon the investment of capital and the creation of needed payrolls in Texas; and be it further

Resolved, That the Texas Legislature hereby request the Governor, Comptroller and the heads of all departments of the State Government to examine their own discretionary actions and orders in terms of the effect of such government action upon the business climate in Texas; and

Resolved, Further, that the Clerks of the House and Senate are hereby directed to transmit suitably prepared copies of this resolution to the Governor and to the head of each department of the state government.

The resolution was read and was referred to the Committee on State Affairs.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 17, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 2, An Act amending Article 7500a, Revised Civil Statutes of Texas of 1925, as amended; repealing conflicting laws; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 2 Laid on Table Subject to Call

On motion of Senator Willis and by unanimous consent S. B. No. 2 was Laid on the Table Subject to Call.

Senate Resolution 200

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the 7th and 8th Grade Classes of Florence Junior High School in Florence, Williamson County, Texas, accompanied by their teachers, Mr. Johnny Mercer and Mr. James Stanley and several sponsors; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to their classes in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and teachers to the Members of the Senate.

Senate Bill 276 on Second Reading

On motion of Senator Krueger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 276, A bill to be entitled "An Act creating the Lavaca County Flood Control District No. 3 in Lavaca County, Texas; defining its powers; providing for confirmation of the District; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 276 on Third Reading

Senator Krueger moved that the

Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 276 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 170 on Second Reading

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 170, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts of the Second Called Session, 44th Legislature, as

such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, so as to clarify such Act by reducing in paragraph (a) of Section 3 of Article II of the Texas Liquor Control Act the burden imposed by graduated license fees when any one company operates more than one licensed manufacturing location; providing a saving clause; repealing laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Question on passage to engrossment Yeas and Nays were demanded.

S. B. No. 170 was passed to engrossment by the following vote:

Yeas—16

Mr. President	Kazen
Crump	Krueger
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Reagan
Herring	Secrest
Hudson	Weinert

Nays—15

Aikin	Moffett
Baker	Ratliff
Bradshaw	Roberts
Colson	Rogers
Dies	Smith
Hazlewood	Willis
Lane	Wood
Martin	

Absent

Moore

The President announced he would vote "Yea."

Motion to Place

Senate Bill 170 on Third Reading

Senator Owen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 170 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members of the Senate present):

Yeas—18

Bradshaw	Crump
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Fly	Lane
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Secrest
Krueger	Weinert

Nays—12

Aikin	Moffett
Baker	Roberts
Colson	Rogers
Dies	Smith
Hazlewood	Willis
Martin	Wood

Absent

Moore

Senate Bill 165 on Second Reading

On motion of Senator Reagan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 165, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to improve the facilities of the Institute of Marine Science, Port Aransas, Texas, by constructing and equipping a Research Building and by acquiring by gift, purchase, or otherwise any or all of certain property at Port Aransas, Texas, for the purpose of dredging and maintaining dock facilities for University-owned boats; providing method of financing; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 165 on Third Reading

Senator Reagan moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 165 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Dies
Baker	Fly
Bradshaw	Fuller
Colson	Gonzalez
Crump	Hardeman

Hazlewood	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Secrest
Martin	Smith
Moffett	Weinert
Moore	Willis
Owen	Wood
Parkhouse	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Resolution 201

Senator Krueger offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. and Mrs. Kenneth Meek of El Campo; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and the Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented Mr. and Mrs. Meek to the Members of the Senate.

Senate Resolution 202

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Junior and Senior Classes of the Texas School for the Blind in Austin, Travis County, Texas, accompanied by their teacher, Mrs. Louise Hancock, and the principal of the school, Mr. F. G. Tacguard; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to their classes in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students, teacher and principal to the Members of the Senate.

Senate Bill 43 on Second Reading

On motion of Senator Fly and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

"S. B. No. 43, A bill to be entitled "An Act relating to the salaries of all state officers and employees except the salaries and other compensation of District Judges; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Court of Civil Appeals, the Supreme Court and the Courts of Criminal Appeals out of the fees of office; specifically suspending all laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 43 on Third Reading

Senator Fly moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that

S. B. No. 43 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 133 on Second Reading

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 133, A bill to be entitled "An Act validating, ratifying and confirming certain contracts heretofore entered into between cities and contiguous Water Control and Improvement Districts affecting the wa-

ter and sewer facilities of said cities and districts and the operation thereof, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 133 on Third Reading

Senator Owen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 133 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 269 on Second Reading

On motion of Senator Baker and by

unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment.

S. B. No. 269, A bill to be entitled "An Act to fix and make certain the amount of compensation to be paid from County funds by Counties having a population of eight hundred thousand or more, according to the last preceding Federal Census, as compensation to District and Criminal District Judges in such Counties, providing the time and method of payment, authorizing amendment of the budget, providing for the compensation of substitute Judges, and declaring an emergency."

The bill was read the second time.

Senator Baker offered the following amendment to the bill:

Amend S. B. 269 by striking all below the enacting clause and inserting in lieu thereof the following:

Section 1. In any County in this State having a population of eight hundred thousand (800,000) or more, according to the last preceding Federal Census, and having twelve (12) or more Civil District Courts and three or more Criminal District Courts, the Judges of the several District and Criminal District Courts of such Counties shall receive in addition to the salary paid by the State to them and to other District Judges of this State, the sum of Six Thousand Dollars (\$6,000.00) annually, to be paid in equal monthly installments out of the General Fund or Officers Salary Fund of such Counties. The Commissioners Court shall make proper budget provisions for the payment thereof. Any District Judge of the State who may be assigned to sit for the Judge of any District Court in such Counties under the provisions of Article 200-A, Revised Civil Statutes, may, while so serving, receive in addition to his necessary expenses, additional compensation from County funds in an amount not to exceed the difference between the pay of such visiting Judge from all sources and that pay received from all sources by District Judges in the Counties affected by the provisions of this Act, such amount to be paid by the County upon approval of the presiding Judge in which said Court is located.

Section 2. This Act shall be cumulative of existing laws; and any laws in conflict herewith are repealed to the extent of such conflict only.

Section 3. The fact that District Judges in the more densely populated Counties have heavier living expenses, and that they are not now adequately compensated for administrative services performed by them in such Counties, creates an emergency and an imperative public necessity that the constitutional rule requiring Bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Senator Baker offered the following amendment to the bill:

Amend S. B. 269 by striking all above the enacting clause and inserting in lieu thereof the following:

An Act to fix and make certain the amount of compensation to be paid from County Funds by Counties having a population of eight hundred thousand or more, according to the last preceding Federal Census, and having twelve or more Civil District Courts and three or more Criminal District Courts, as compensation to District and Criminal District Judges in such Counties, providing the time and method of payment, authorizing amendment of the budget, providing for the compensation of substitute Judges, and declaring an emergency.

The amendment was adopted.

The bill as amended was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 269 to engrossment.

Senate Bill 269 on Third Reading

Senator Baker moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 269 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Martin	

Nays—4

Crump	Hudson
Hardeman	Roberts

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—22

Aikin	Lane
Baker	Moffett
Bradshaw	Moore
Colson	Phillips
Dies	Ratliff
Fuller	Reagan
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Willis
Krueger	Wood

Nays—9

Crump	Owen
Fly	Parkhouse
Hardeman	Roberts
Hudson	Weinert
Martin	

Senate Bill 195 on Second Reading

On motion of Senator Gonzalez and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 195, A bill to be entitled "An Act prescribing the annual license fee for the registration of a motor vehicle owned and operated by a nonprofit, service organization and designed, constructed and used primarily for promotion, demonstration or parade purposes, where such vehicle is

not licensed for registration under other laws of this State; providing a severability clause and declaring an emergency."

The bill was read the second time.

Senator Fly offered the following amendment to the bill:

Amend S. B. 195 by striking out of Section 1 the words "promotion, demonstration or".

The amendment was read.

Question—Shall the amendment by Senator Fly to S. B. No. 195 be adopted?

House Bills and Resolution on First Reading

The following bills and resolution received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 198, To the Committee on Education.

H. C. R. No. 13, To the Committee on Jurisprudence.

H. B. No. 201, To the Committee on State Affairs.

H. B. No. 344, To the Committee on State Affairs.

H. B. No. 2, To the Committee on Water and Conservation.

Senate Bills 24 and 57 Laid on Table

On motion of Senator Herring and by unanimous consent S. B. Nos. 24 and 57 were Laid on the Table.

Local and Uncontested Bill Committee

The President announced the appointment of the following as a Committee on Local and Uncontested Bill Calendars pursuant to the provisions of S. R. No. 111 previously adopted by the Senate:

Senators Martin, Chairman, Harde-
man, Lane, Wood, and Dies.

Adjournment

On motion of Senator Weinert the Senate at 12:06 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

Record of Vote

Senator Krueger asked to be recorded as voting "Nay" on the motion to adjourn.

In Memory of
David Donoghue

Senator Willis offered the following resolution:

(Senate Resolution 199)

Whereas, On the Fifteenth Day of October in the Year of Our Lord, Nineteen Hundred Fifty-eight, Almighty God, in His Infinite Wisdom, did call a prominent and beloved son of Texas, Mr. David Donoghue, to his Heavenly Reward; and

Whereas, He was born in San Antonio and educated at St. Mary's University and the University of Texas. He was one of our Nation's leading geologists and a recognized authority on the history of Texas and the Southwest. He served with distinction as President of the Tarrant County Historical Society and was a charter member of the Fort Worth Geological Society; and

Whereas, He contributed much of his time to educational, cultural, civic and religious enterprises of his State. He was an active member of the Catholic Church and Director of the Catholic Charities of Fort Worth. He was one of the first members of the Governor's Voluntary Parole Board and spent freely of his time and finances to help salvage the lives of men and women who needed help. His contributions will live in the hearts and lives of the men and women he helped; and

Whereas, This gracious gentleman served his family, friends and fellowman in the roles of devoted husband, father, neighbor and sincere citizen of his community, state and nation; now, therefore, be it

Resolved, by the Senate of Texas, That we extend our sincere sympathy to the family of this eminent citizen; and that when the Senate adjourns today, it do so in his honor and memory; and, be it further

Resolved, That a copy of this resolution be sent to the members of his family with the deepest sympathy of the Senate; and that a page in the Senate Journal be set aside in memory of Mr. David Donoghue.

The resolution was read and was adopted by a rising vote of the Senate.